



**Plympton Conservation Commission**  
**Minutes of Open Virtual Meeting – September 5, 2023**

<https://us02web.zoom.us/j/8802901353>

By Telephone: (646) 558-8656 Meeting ID: 880 290 1353; Password: 948488

**Present:** Board Members, Rick Burnet, Amy Cronin, Tim Ferraro, Linda Leddy, Mike Matern, and Conservation Agent, Brian Vasa

**Guests:** Don Nagle (Crescent Street); Adam Brodsky (Maple Street and Crescent Street); Brad Holmes (Maple Street and Crescent Street); Jessica Kinsman (Crescent Street); Ken Thompson (Crescent Street); Paul D'Angelo III (Maple Street); Angela Lawson (0 Prospect abutter); and Rebecca Lipton (0 Prospect abutter).

1. **Call to Order.** Chair, Rick Burnet called the meeting to order at 6:30 pm.
2. **OOO Extension for 72 Prospect Road.** Since the applicant just started construction a few months ago, they asked for an extension for their Order of Conditions to December 12, 2026. The Commission voted to extend the OOC for the request 3 years.

Motion (Rick): To extend the OOC for 72 Prospect Road until 12/12/26.

Second (Linda)

Voted with roll-call vote: Rick Burnet: Aye, Amy Cronin: Aye, Tim Ferraro: Aye, Linda Leddy: Aye, Mike Matern: Aye.

3. **Turkey Swamp.** Linda Leddy announced that Turkey Swamp (238 acres) has been purchased, and the Town will be working with NHESP and Wildlands Trust about the conservation restrictions for the species and will start working on a map showing existing/future trails. The Town is still in the process of acquiring the tax title parcel for an adjacent lot, and the tax title will hopefully be cleared by December to provide access to Turkey Swamp. Turkey Swamp is under the supervision of the Conservation Commission.
4. **Discussions about the 0 Prospect Street project [SE266-0227].** Rebecca Lipton expressed concern that the adjacent property was sold, and the new owners do not seem to have an interest in pursuing the project that the Commission approved.
5. **NOI Hearing continuation for 0 Maple Street - D'Angelo/Webby Engineering - single-family home, SE266-0229.** Attorney Adam Brodsky and ECR's Brad Holmes presented the project for Paul D'Angelo III owner. Ms. Langhauser reviewed the submissions on behalf of the Commission and responded with several questions. Mr. Brodsky requested by letter on August 28<sup>th</sup> that Mr. Art Allen be retained to represent the Commission. The Commission responded that we would like to see the answers to Ms. Langhauser's questions before additional actions are taken. The Commission will ensure the applicant's representatives have access to discuss any questions with Andrea Langhauser and the Commission. Mr. Brodsky said his team found Ms. Langhauser's memo to be confusing and wanted to have a list of the items she was seeking. Brad Holmes expressed interest in having Art Allen review new materials. It was discussed that the Commission wants to resolve Ms. Langhauser's comments before considering that request. It was noted that the applicants last brought this project to the Commission in May 2023. At the request of the applicant's representative, the hearing was continued to September 19th, 2023 at 6:40 pm.

- 6. NOI Hearing continuation for 0 Prospect Road - ADGA Realty, LLC/Outback Engineering - single-family home.** The Commission reviewed the pending application for the hearing that was opened on August 2, 2022. It was noted that the wetlands on the original plans were not marked correctly, as there were no Riverfront Areas shown, and the Commission had requested updated plans at the opening hearing on 8/2/22. It was also discussed that after being given reminders that the hearing had been open for over a year without any updated plans or any progress, the applicants had still not responded. Abutters requested how the process would work if the applicant wanted to proceed, and it was noted that they would have to start the process over again by submitting a new application.

Motion (Amy): To close the hearing for 0 Prospect Road.

Second (Linda)

Voted with roll-call vote: Rick Burnet: Aye, Amy Cronin: Aye, Linda Leddy: Aye, Mike Matern: Aye. Tim Ferraro was not eligible to vote on this project.

Motion (Amy): As the Applicant never submitted updated plans or materials showing accurate Riverfront Areas and setbacks over the year since the previous hearing and did not respond to requests for project updates, the Commission determined that the application would need to be denied since the information submitted by the applicant was not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act and the Town of Plympton Wetlands Protection Bylaw.

Second (Linda)

Voted with roll-call vote: Rick Burnet: Aye, Amy Cronin: Aye, Linda Leddy: Aye, Mike Matern: Aye. Tim Ferraro was not eligible to vote on this project.

- 7. NOI Hearing for 55 Crescent Street - Thompson/Gardner, Webby Engineering/Environmental Consulting & Restoration - single-family home, SE266-0233.** Attorney Adam Brodsky and ECR's Brad Holmes presented the project for Ken Thompson and Jeri Gardner, owners. The house has been moved further from the Bordering Vegetated Wetlands (BVW) but still needs a waiver since the septic connection falls within 65' of the BVW. In her report, Ms. Langhauser questioned stormwater provisions, however, Mr. Brodsky said the gravel driveway resolved any stormwater concerns. The Commission raised the question about the elevation of the garage and if fill would be needed to construct and access the garage. This concern will be answered before the next meeting. Mr. Brodsky asked the Commission about their thoughts on the project, and the Commission showed concern about proposing the house within such a tight building envelope with overlapping wetland buffer zones so close by, but they were divided about whether they would find it acceptable to be permitted as currently proposed. Abutter Ms. Kinsman asked about the design of the house, and Attorney Brodsky said the design of the house is not within the scope of the Commission, only the footprint, elevations, etc. Attorney Nagle, representing abutter Mark Eubanks, noted that it is a tight site that is marginal and is near the original location proposed in the previous NOI application that was denied. He noted that Brad Holmes' point about invasive species taking over the lot is valid, but he noted replication does not always work. Attorney Nagle noted the slope concerns, with no soil evaluation, and asked about fill and the stone wall acting as a retaining wall. He also

noted that there would be a lot of work going on that would extend beyond the stone wall, also requiring another waiver. He mentioned that the work for the septic connection is temporary, but the septic line is permanent and could leak. He continued by mentioning that half the lot is box turtle habitat and that Natural Heritage should be consulted. Also, there has been no effort made to reduce the house from a 4-bedroom house with a 2-car garage. At the request of the applicant's representative, Attorney Brodsky, the hearing will be continued to September 19th, 2023 at 6:40 pm.

**8. Review new Building Permit Applications.** The following building applications were signed off between the 08/15/23 and 09/05/23 meetings:

- None

**9. Sign Warrants.** Pay EcoTec \$275.62 for 55 Crescent 2<sup>nd</sup> NOI review; EcoTec \$211.25 for 171 Palmer for the 3<sup>rd</sup> NOI review; \$45 for legal ad for Express Newspapers; and \$512 for MA Association of Conservation Commissions (FY24 annual dues).

**10. Parking Lot issues.**

- a. An inventory of the vernal pools in town will be created; add the last few years of annual reports to the website.
- b. Create a checklist of best practices for floodplain management.

**11. Minutes.** The August 15, 2023 minutes were approved as written.

Motion (Linda): To approve the minutes from the August 15th meeting as written.

Second (Tim)

Voted with roll-call vote: Rick Burnet: Aye, Amy Cronin: Aye, Tim Ferraro: Aye, Linda Leddy: Aye, Mike Matern: Aye.

**12. Next Meeting.** The next meetings will be held on September 19, 2023 and October 3, 2023. The typical meetings schedule (1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of each month) is subject to be modified and will be posted.

The meeting was adjourned at 8:19 pm by a motion from Mr. Matern and seconded by Mr. Ferraro and was voted unanimously with a roll-call vote: Rick Burnet: Aye, Amy Cronin: Aye, Tim Ferraro: Aye, Linda Leddy: Aye, and Mike Matern: Aye.

Respectfully recorded and submitted by Amy Cronin